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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

2:12-CR-420 JCM (PAL)

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

BRYAN DEL WILLIAMS,

Defendant(s).

ORDER

Presently before the court is the government's motion to amend the judgment in this case. (Doc. # 35). Defendant Bryan Dell Williams did not file a response.

The government claims that during the sentencing hearing in this matter, it accidentally submitted only the first page of its two-page restitution list. As a result, restitution was erroneously entered in the amount of \$1,428,500 instead of \$1,859,500.

The government requests that the court amend the judgment to require restitution in the amount of \$1,859,500.

Federal Rule of Criminal Procedure 36 states "After giving any notice it considers appropriate, the court may at any time correct a clerical error in a judgment, order, or other part of the record, or correct an error in the record arising from oversight or omission."

In this case, the court specifically gave defendant notice and an opportunity to submit a response to the instant motion, (doc. # 37), and defendant failed to do so. Defendant also made no objection to the presentence investigation report's statement that his criminal scheme caused a loss

1 of \$1,859,000 to his victims.


2 Therefore, the court concludes that the restitution amount of \$1,428,500 was presented in
3 error, and that the correct restitution amount is \$1,859,500.

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that the government's motion
6 to amend the judgment (doc. # 35) be, and the same hereby is, GRANTED.

7 IT IS FURTHER ORDERED that the judgment against defendant shall be amended to reflect
8 the correct restitution amount of \$1,859,500.

9 DATED January 15, 2014.

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12 **UNITED STATES DISTRICT JUDGE**